

AO 440 (Rev. 10/93) Summons in a Civil Action

# United States District Court

MASSACHUSETTS  
DISTRICT OF

YOSEF STREICHER, on Behalf of Himself  
and All Others Similarly Situated,

V.

WAVE SYSTEMS CORPORATION, JOHN E.  
BAGALAY, JR., STEVEN K. SPRAGUE and  
GERARD T. FEENEY

## SUMMONS IN A CIVIL CASE

CASE NUMBER: 04-30026-MAP

TO: (Name and address of defendant)

John E. Bagalay, Jr.  
WAVE SYSTEMS CORPORATION  
480 Pleasant Street  
Lee, MA 01238

FILED  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
DISTRICT OF MASS.  
2004 FEB 25 4 09 PM

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Nancy Freeman Gans  
MOULTON & GANS, P.C.  
33 Broad St., Suite 1100  
Boston, MA 02109-4216  
617-369-7979

Sandy A. Liebhard  
Joseph R. Seidman, Jr.  
BERNSTEIN LIEBHARD & LIFSHITZ, LLP  
10 East 40th St., 22nd Floor  
New York, NY 10016  
212-779-1414

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

JOSEF ANASTAS

CLERK

*Mary Ann*

(BY) DEPUTY CLERK

DATE

*February 9, 2004*

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me 1

NAME OF SERVER (PRINT)

MOREY STOME

TITLE

CONSTABLE

DATE

FEBRUARY 19, 2004

Check one box below to indicate appropriate method of service

☐

Served personally upon the defendant. Place where served:

☐

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

☐

Returned unexecuted:

☒

Other (specify): BY GIVING IN HAND TO MS. LINDA SAMBEL, ASST. TO THE PRESIDENT  
 AND PERSON IN CHARGE OF ACCEPTING PROCESS FOR THE WITHIN NAMED DEFENDANT  
 JOHN E. BAGATAY, JR. - SAID SERVICE WAS MADE AT WAVE SYSTEMS CORP., 480  
 PLEASANT STREET, LEE, MASS.

## STATEMENT OF SERVICE FEES

TRAVEL

\$50.00

SERVICES

\$200.00

TOTAL

\$250.00

## DECLARATION OF SERVER

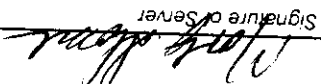
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

FEBRUARY 19, 2004

Date

Signature of Server



Address of Server

707 E. 6th ST., SOUTH BOSTON, MASS.